IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE SIDE JURISIDICTION

WRIT PETITION NO.1354 OF 1996

Abhyudaya Co-Operative Bank Ltd...Petitioner

Vs.

Shri.S.L.Mehendale and Ors. ..Respondents

....

Mr.Shailesh More for M.S.Naik for Petitioner
Respondent nos.1 and 3 not served as Bhatta not paid.
Ms.Pushpa Menon for Respondent no.2 (absent)

....

CORAM : B.H.MARLAPALLE,J.
DATE : JANUARY 20,2005

P.C.:

1. The Petitioner-bank was impleaded as Respondent no.1 in Complaint (ULP) No. 1158 of 1992 filed by the Respondent no.2 who was its employee and he was removed from service by order dated 4th June, 1992 on the ground of loss of confidence. In the said complaint, preliminary point regarding the legality of the domestic inquiry was considered and upheld, however, the findings of the Inquiry Officer are held to be perverse and the Respondent-Bank was permitted to lead evidence to justify the order of termination before the Court as per the interlocutory order dated 21st August, 1995 and impugned in the petition.

2. When this petition was admitted on 2nd July, 1996, the main complaint itself came to be decided

and the final decision was challenged in Writ Petition No.1355 of 1996. Both these petitions were, therefore, directed to be heard together and prayer for interim relief was declined. Writ Petition No. 1355 of 1996 came to be decided by this Court on 13th September, 2002 and the impugned order in this Writ Petition has also been set aside.

3. Hence, this petition stands disposed of in terms of the decision in Writ Petition No. 1355 of 1996.

[B.H.MARLAPALLE,J.]